

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

THOMAS ALAN ARTHUR,

Defendant.

CRIMINAL NO. P:19-CR-774

UNITED STATES'S UNOPPOSED MOTION TO CONTINUE TRIAL

COMES NOW the United States of America by and through the undersigned Assistant United States Attorney and files this Unopposed Motion to Continue the Trial from June 2020 to October 2020.

This case has been designated as unusual and complex by the Court's Order dated December 23, 2019. Currently, the trial of this matter is set for June 16, 2020. Due to the COVID-19 pandemic, all trials through June 30, 2020, have been continued by Chief Judge Garcia in his Order dated May 8, 2020.

The United States submitted a Mutual Legal Assistance (hereinafter "MLA") Request to the Netherlands to obtain a copy of the data on the virtual private server associated with the mrdouble.com website. Although this data was seized by the Netherlands pursuant to the MLA Request, the United States was advised that it will be another two months before this information is turned over to U.S. law enforcement officers. Once the data from the Netherlands is turned over to the United States, the United States will make such material available for review by defense counsel and their experts. The United States anticipates both parties may need additional time to prepare for trial based on the information to be turned over by the Netherlands.

For these reasons, the United States is requesting a continuance of the trial until sometime in October 2020. The United States requests a special trial setting in order to ensure this case is the only case set for trial on the October date selected by the Court. Undersigned counsel has conferred with defense counsel, who do not oppose such a continuance.

WHEREFORE, premises considered, the United States moves the Court to continue the trial setting from June 2020 to October 2020.

Respectfully submitted,

JOHN BASH
UNITED STATES ATTORNEY

By: /s/ Monica R. Morrison
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CERTIFICATE OF CONFERENCE

I hereby certify that on June 10, 2020, I contacted Mark Bennett and Lane Haygood, attorneys for the Defendant, who do not oppose this Motion.

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2020, I filed this document with the Clerk using the CM/ECF filing system, which will cause a copy of the document to be delivered to counsel for Defendant:

Lane Haygood, Mark Bennett - Counsel for Defendant.

/s/ Monica R. Morrison
Assistant United States Attorney

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ORDER

BEFORE THE COURT is the United States's _____ Motion For Continuance of the jury trial set in the above captioned cause. The Court having considered the Motion finds that the Motion should be GRANTED, and the jury selection and jury trial is hereby re-scheduled to the ____ day of _____, 2020, at 8:30 a.m.

IT IS SO ORDERED.

SIGNED and ENTERED this _____ day of _____, 2020.

DAVID COUNTS
United States District Judge